

New law provides for alternative pathways for grade level promotion and graduation of certain special education students.

#### Promotion

Prior law, relative to students with exceptionalities, provided that the State Board of Elementary and Secondary Education (BESE) may establish a procedure for the state superintendent of education to grant a waiver allowing any such student who fails to meet the required achievement level necessary for promotion to the next grade on a test administered pursuant to existing law or BESE policies if the student met certain criteria established by BESE relative to attendance, grades, and conduct.

New law instead requires BESE to adopt a rule to provide that a student's Individualized Education Program (IEP) team shall determine promotion to the next grade level if the student meets certain criteria established by the IEP team relative to performance on IEP goals and objectives. Requires that if an IEP team determines that the student is not required to meet state or local established performance standards on any assessment for purposes of promotion, the team shall take certain actions including but not limited to identifying rigorous educational goals for the student and a course of study that promotes college or workforce readiness. Provides that an alternative pathway to promotion determination by a student's IEP team shall apply only if the student has not otherwise met the state and local requirements for promotion or has not otherwise met state-established benchmarks on the required state assessments in the year immediately prior to each grade level in which the student would otherwise be required to demonstrate certain proficiency levels in order to advance to the next grade level. Specifies that new law does not apply to a student identified as gifted and talented with no other exceptionality.

#### Graduation

New law provides that if a student with an exceptionality (except gifted and talented students), for any two of the three most recent school years, or for a student in high school, the two most recent administrations of any state-established assessments required for graduation, has not otherwise met state-established benchmarks on required state assessments, the student's IEP team may determine an alternative pathway to graduation for the student.

New law provides that if a student's IEP team determines that the student is not required to meet state or local performance standards on any assessment for purposes of graduation, the student shall successfully complete IEP goals and requirements and shall meet at least one of the following: be employed in integrated, inclusive work environments; demonstrate mastery of specific employability skills and self-help skills; or have access to services that are not within the legal responsibility of public education or employment or education options for which the student has been prepared by the academic program.

New law provides that if an IEP team determines that state-established benchmarks on the required state assessments are no longer a condition for promotion or graduation for a student, the team shall:

- (1) Within 30 days of the student entering the course or grade level, establish minimum performance requirements in the student's IEP relevant to promotion or graduation requirements. Requires the IEP team to consider establishing minimum performance requirements for annual academic and functional goals designed to meet the student's needs.
- (2) Provide the student and his parent or legal guardian with information related to how requirements that vary from standard expectations may impact future educational and career options.

Existing law, relative to the high school career option program, requires BESE to develop and adopt requirements for career major programs offered by school boards and to issue a career diploma to students who successfully complete such requirements. Requires students in a career major program to complete an academic core of courses and a career and technical

sequence of courses and specifies course requirements. Requires a student seeking to pursue a career major curriculum to meet specified conditions. New law provides that existing law shall apply to students with exceptionalities as defined in existing law (R.S. 17:1942(B)), except gifted and talented students.

New law provides that students with exceptionalities be afforded the same opportunities to pursue a high school diploma and to exit with all course credits, honors, and financial awards as other students. Specifies that such students are not guaranteed a diploma and have to meet either the standard requirements or those established by his IEP team to be awarded a diploma. Provides that a student with an exceptionality who successfully completes the requirements of his IEP shall be issued a high school diploma. Provides that a diploma issued to a student based on achieving his IEP goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a diploma issued to any other student.

Existing law relative to Individual Graduation Plans, requires students in the 8th grade to develop a plan to explore educational and career possibilities and to make appropriate decisions as part of an overall career plan. Permits students to choose the high school curriculum framework and related graduation requirements that best meet their postsecondary goals. Provides that each student's plan shall include the recommended sequence of courses needed for successful completion of his chosen career major and shall be reviewed annually and updated as needed. Requires that a student's plan be signed by the student and his parent or other legal guardian. New law adds provisions for determinations relative to promotion and graduation requirements to be made by the student's IEP team. Provides for involvement by the IEP team in the development and review of an Individual Graduation Plan.

New law requires the state Dept. of Education to track the performance of students with exceptionalities across school systems and, in collaboration with the Special Education Advisory Panel, establish indicators to identify school systems with disproportionately high rates of students with exceptionalities performing below expected levels and declines in performance across subgroups of students with exceptionalities. Further requires the department to develop and implement a monitoring and corrective action system to address school systems identified as having high rates of students with exceptionalities performing below expected levels.

Effective August 1, 2014.

(Amends R.S. 17:24.4(H), 183.2(B)(1) and (C), 183.3(D)(1)(intro. para.) and (a), and 2925(A); Adds R.S. 17:183.3(E) and (F); Repeals 17:183.2(B)(2))